



Rep. Daniel J. Burke

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1 AMENDMENT TO HOUSE BILL 1469

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1469 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Commander  
5 Paul Bauer Act.

6 Section 5. The Criminal Code of 2012 is amended by changing  
7 Sections 33F-2 and 33F-3 and by adding Section 24-1.9 as  
8 follows:

9 (720 ILCS 5/24-1.9 new)

10 Sec. 24-1.9. Delivery or sale of large capacity ammunition  
11 feeding devices.

12 (a) In this Section:

13 "Large capacity ammunition feeding device" means:

14 (1) a magazine, belt, drum, feed strip, or similar  
15 device that has a capacity of, or that can be readily

1 restored or converted to accept, more than 10 rounds of  
2 ammunition; or

3 (2) any combination of parts from which a device  
4 described in paragraph (1) of this subsection (a) can be  
5 assembled.

6 "Large capacity ammunition feeding device" does not  
7 include an attached tubular device designed to accept, and  
8 capable of operating only with, .22 caliber rimfire ammunition.

9 "Large capacity ammunition feeding device" does not include a  
10 tubular magazine that is contained in a lever-action firearm or  
11 any device that has been made permanently inoperable.

12 (b) Except as provided in subsection (c) of this Section,  
13 90 days after the effective date of this amendatory Act of the  
14 100th General Assembly, it is unlawful for any person within  
15 this State to knowingly deliver, sell, purchase, or possess or  
16 cause to be delivered, sold, or purchased a large capacity  
17 ammunition feeding device.

18 (c) This Section does not apply to or affect any of the  
19 following:

20 (1) Peace officers as defined in Section 2-13 of this  
21 Code.

22 (2) A local law enforcement agency for the purpose of  
23 equipping the agency's peace officers as defined in  
24 paragraph (1) of this subsection (c).

25 (3) Wardens, superintendents, and keepers of prisons,  
26 penitentiaries, jails, and other institutions for the

1 detention of persons accused or convicted of an offense.

2 (4) Members of the Armed Services or Reserve Forces of  
3 the United States or the Illinois National Guard, for the  
4 performance of their official duties.

5 (5) Any licensed security officer or guard.

6 (6) Sale of large capacity ammunition feeding devices  
7 to persons authorized under subdivisions (1) through (5) of  
8 this subsection (c) to possess those devices.

9 (7) Sale of large capacity ammunition feeding devices  
10 for sale or transfer in another state.

11 (8) Sale or rental of large capacity ammunition feeding  
12 devices for blank-firing assault weapons and .50 caliber  
13 rifles, to persons authorized or permitted, or both  
14 authorized and permitted to acquire these devices for the  
15 purpose of rental for use solely as props for a motion  
16 picture, television, or video production or entertainment  
17 event.

18 (d) Sentence. A person who knowingly delivers, sells,  
19 purchases, or causes to be delivered, sold, or purchased in  
20 violation of this Section a large capacity ammunition feeding  
21 device capable of holding more than 15 rounds of ammunition  
22 commits a Class 3 felony for a first violation and a Class 2  
23 felony for a second or subsequent violation or for delivery or  
24 possession of 2 or more of these devices at the same time. Any  
25 other violation of this Section is a Class A misdemeanor.

1 (720 ILCS 5/33F-2) (from Ch. 38, par. 33F-2)

2 Sec. 33F-2. Unlawful use of body armor.

3 (a) A person commits unlawful use of body armor when he or  
4 she knowingly sells, transfers, purchases, possesses, or wears  
5 body armor.

6 (b) A person commits ~~the offense of~~ unlawful use of body  
7 armor when he or she knowingly wears body armor and is in  
8 possession of a dangerous weapon, other than a firearm, in the  
9 commission or attempted commission of any offense.

10 (c) Subsection (a) of this Section does not apply to or  
11 affect any of the following:

12 (1) Peace officers as defined in Section 2-13 of this  
13 Code.

14 (2) A local law enforcement agency for the purpose of  
15 equipping the agency's peace officers as defined in  
16 paragraph (1) of this subsection.

17 (3) Wardens, superintendents, and keepers of prisons,  
18 penitentiaries, jails, and other institutions for the  
19 detention of persons accused or convicted of an offense.

20 (4) Members of the Armed Services or Reserve Forces of  
21 the United States or the Illinois National Guard, for the  
22 performance of their official duties.

23 (5) Any licensed security officer or guard.

24 (6) Sale of body armor to persons authorized under  
25 subdivisions (1) through (5) of this subsection (c) to  
26 possess body armor.

1           (7) Sale of body armor for sale or transfer in another  
2           state.

3           (8) Sale or rental of body armor to persons authorized  
4           or permitted, or both authorized and permitted to acquire  
5           body armor for the purpose of rental for use solely as  
6           props for a motion picture, television, or video production  
7           or entertainment event.

8           (Source: P.A. 93-906, eff. 8-11-04.)

9           (720 ILCS 5/33F-3) (from Ch. 38, par. 33F-3)

10          Sec. 33F-3. Sentence.

11          (1) A person convicted of unlawful use of body armor under  
12          subsection (a) of Section 33F-2 for a first offense is guilty  
13          of a Class A misdemeanor and for a second or subsequent offense  
14          is guilty of a Class 4 felony.

15          (2) A person convicted of unlawful use of body armor under  
16          subsection (b) of Section 33F-2 for a first offense is ~~shall be~~  
17          guilty of a Class 4 felony ~~A misdemeanor~~ and for a second or  
18          subsequent offense is ~~shall be~~ guilty of a Class 3 ~~4~~ felony.

19          (Source: P.A. 87-521.)

20          Section 99. Effective date. This Act takes effect upon  
21          becoming law, except that the amendatory changes to Sections  
22          33F-2 and 33F-3 of the Criminal Code of 2012 take effect 90  
23          after the effective date of the Act.".